

**DAVID K. BYERS**  
Administrative Director

## **APPENDIX A**

## Plaintiff's Guide Sheet for Protective Orders

**This guide sheet provides basic information about protective orders. Keep this guide for future reference. If you receive a protective order, you should always carry a copy of the order with you.**

### TYPES OF PROTECTIVE ORDERS

**1. ORDER OF PROTECTION (OP)**—An OP is used when you and the defendant (the person from whom you want protection) have a specific relationship. In addition to having a qualifying relationship, you must state how an act of domestic violence was threatened or committed against you within the last year.

A qualifying relationship for an Order of Protection includes any of the following:

- married to each other (past or present)
- live together (past or present)—intimate partners
- romantic or sexual relationship (past or present)
- parent of a child in common
- one party is pregnant by the other
- related as parent, grandparent, child, grandchild, brother, sister (including step or in-law)
- live together (past or present)—not intimate partners

**READ THIS  
FIRST.**

**2. INJUNCTION AGAINST HARASSMENT (IAH)**—If you and the defendant do not share any of these relationships, you may ask for an Injunction Against Harassment (IAH). You must tell on the petition how the defendant has committed a series of acts (more than one) of harassment against you in the last year.

**3. INJUNCTION AGAINST WORKPLACE HARASSMENT (IAWH)**—An employer or owner of a business or operation may file for this type of injunction for the benefit of an employee or the business based on a single act or a series of acts of harassment.

### PETITION

Your request for a protective order begins when you file a petition with the court. There is no cost to file the petition for an OP or an IAH. In the petition, you must provide dates and facts about the domestic violence or harassing acts that you allege the defendant has committed against you or why you believe domestic violence or harm may occur without protection. **NOTE: If the judge grants your request, the defendant will be given a copy of your *petition* and the order. The petition may be used in future judicial proceedings.** You can list only one defendant per petition. If you want to file against more than one person, you must file a separate petition for each defendant.

### CHILDREN AS OTHER PROTECTED PERSONS

You may ask for a child be included as a protected person only if (1) the child is not the defendant's child or (2) the child is the defendant's child and the domestic violence involved the child. Only a superior court judge can decide child custody (legal decision-making) or parenting time in a separate family law action.

### FAMILY COURT

If either you or the defendant file an action for maternity, paternity, annulment, legal separation, or divorce, tell the clerk immediately so the protective order case can be transferred to the superior court.

### FILING A PETITION ON BEHALF OF A MINOR OR ANOTHER PERSON

If you are:

- a parent, guardian, or custodian of a minor who is asking for protection from someone else, choose the relationship between the *minor* and the *defendant* on the petition.
- applying on behalf of a person who is either temporarily or permanently unable to request an order, choose the relationship between the *person* and the *defendant* on the petition.

## **SERVICE AND EFFECT**

**Order of Protection:** The court will send the OP to the appropriate law enforcement agency for service. There is no cost for service of an OP. If law enforcement is unable to serve the OP within 15 days, law enforcement will contact you. Law enforcement has a continuing duty to attempt service, so if you have additional information about the defendant's location, please contact the law enforcement agency. The OP will be valid and enforceable for one year from the date of service. A served OP is enforceable by law enforcement in any state or tribal nation in the United States.

**Injunction Against Harassment or an Injunction Against Workplace Harassment:** You have one year from the date of issuance to ask for an IAH or IAWH to be served on the defendant. The order will be valid and enforceable for one year from the date of service. The court will instruct you on how service can be made. Law enforcement will serve an IAH involving a dating relationship at no cost. There is a fee to serve an IAH not involving a dating relationship or an IAWH. The cost to serve injunctions depends on mileage and number of attempts. If you cannot afford pay for service, you can ask the judge to defer or waive the fee.

## **CONTESTED HEARING**

If the defendant disagrees with the protective order, the defendant has the right to ask for a hearing. The court will conduct the hearing within 10 business days after the defendant makes a written request. At this hearing, you may present evidence (exhibits) and have witnesses testify on your behalf. The judge will take testimony from you, the defendant, and any witnesses to decide whether there is a legal reason to keep the order in place. If you do not appear for the hearing, the court may dismiss your order; therefore, you must notify the court of any change in your contact information to ensure you get notice of any hearing dates and times.

## **NO-CONTACT ORDERS**

The defendant can be arrested for violating this protective order, even if you initiate contact. **If the defendant does not want you to contact him or her, the defendant has the right to request a protective order against you.** Orders are not automatically granted upon request—legal requirements must be met.

## **RESIDENCE AND PROPERTY**

You may ask the judge to give you exclusive use of a residence you share with the defendant. If the defendant needs to retrieve personal belongings, the judge may order a standby. Standby allows the defendant to return once with a law enforcement officer to get necessary personal belongings. Neither law enforcement nor a protective order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues. If the judge grants the defendant standby, the defendant must arrange a time and date with a law enforcement agency.

## **FIREARMS**

You may ask the judge to order the defendant not to possess, receive, or purchase firearms or ammunition while the protective order is in effect.

## **ANIMALS**

If you are asking for an Order of Protection, you may also ask the court to grant you the custody, care, and control of any animal owned by you, the defendant, or a minor child living in your household if you believe the defendant is a danger to the animal.

## **COUNSELING**

Counseling for the defendant can be ordered only at a hearing of which the defendant has notice and an opportunity to participate.

## **CHANGING OR DISMISSING THE ORDER**

**Nothing you do on your own can dismiss or change this protective order.** If you want to change or dismiss this order, you must make a written request to the court.

## **PUBLIC ACCESS**

To comply with federal law, no identifying information about you from this protective order case will be published on the Judicial Branch website ([www.azcourts.gov](http://www.azcourts.gov)).

## **RESOURCES, SAFETY PLANS**

See Domestic Violence Info (<http://www.azcourts.gov/domesticviolencelaw>) and the booklet *Things You Should Know About Protective Orders* for information about protective orders, resources, and safety plans.

**THIS FORM IS CONFIDENTIAL AND IS NOT A PUBLIC RECORD.**

ALL COURTS IN ARIZONA

ADDRESS

CITY, AZ ZIP CODE

TELEPHONE NUMBER

Case No. \_\_\_\_\_

**Plaintiff's Information Sheet**

Please PRINT all information on this form and on the petition *after* you have read the Plaintiff's Guide Sheet for Protective Orders.

Your name \_\_\_\_\_ Your birth date \_\_\_\_\_

Business name (if workplace injunction) \_\_\_\_\_

Address \_\_\_\_\_ Main phone \_\_\_\_\_ \*Cell \_\_\_\_\_

\*May the court text you at this or another number?  
☐ Yes ☐ No Alternate number \_\_\_\_\_

City, State, ZIP \_\_\_\_\_  
Mailing address (if different) \_\_\_\_\_ Email \_\_\_\_\_

☐ LANGUAGE ASSISTANCE. At court, I will need language help. Language needed: \_\_\_\_\_

**CONFIDENTIAL ADDRESS.** Your address and contact information are confidential. Indicate any other addresses that should be kept confidential. Do **not** include confidential addresses on the petition as a copy of it will be served on the defendant. ☐ Keep work address confidential. ☐ Keep school address confidential.

**RELATIONSHIP\***

Choose the option that best describes your relationship to the defendant.  
\*If you are applying on behalf of another person, choose the relationship between the **other person** and the defendant.

- |  |  |
|--|--|
| <input type="checkbox"/> Married (past or present)                         | <input type="checkbox"/> Related as parent, grandparent, child, grandchild, brother, sister (including step or in-law) |
| <input type="checkbox"/> Live/lived together as intimate partners          | <input type="checkbox"/> Live/lived together but not as intimate partners  |
| <input type="checkbox"/> Romantic or sexual relationship (past or present) | <input type="checkbox"/> Dating (but not romantic or sexual)   |
| <input type="checkbox"/> Parent of a child in common                       | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> One party is pregnant by the other                |  |

Defendant's name \_\_\_\_\_ Telephone \_\_\_\_\_

Address *include apartment and building number* \_\_\_\_\_ Cell phone \_\_\_\_\_

City, State, ZIP \_\_\_\_\_ Email \_\_\_\_\_

**DEFENDANT IDENTIFIERS**

Please provide all information to the best of your knowledge. *If you do not know the defendant's birth date, make your best guess.* If you have estimated the birth date, please check the "Estimated" box.

Sex	Race	Birth date	Height	Weight
		<input type="checkbox"/> Actual <input type="checkbox"/> Estimated		
Eye color	Hair color	Social Security #		
Driver license #:		State:	Expiration date:	

All Courts in Arizona/NCIC#/DPS# Address, City, AZ Zip Telephone Number

<b>Plaintiff</b> <input type="checkbox"/> Employer-Plaintiff if Workplace Injunction	<b>Defendant</b>	<b>Case No.</b>
<input type="checkbox"/> On behalf of minor/person in need of protection named:	Defendant's address	<b>PETITION for:</b> <input type="checkbox"/> Order of Protection <input type="checkbox"/> Injunction Against Harassment <input type="checkbox"/> Workplace Injunction
Agent's name (if Workplace Injunction)	Defendant's phone	

This is NOT a court order.

This petition contains Plaintiff's allegations and requests. To see what the court has ordered, see "Order" form.

***DIRECTIONS: Please read the Plaintiff's Guide Sheet before filling out this form.***

**1. Defendant/Plaintiff Relationship (or relationship between Defendant and minor/person in need of protection)**

- |   |  |
|---|--|
| <input type="checkbox"/> Married (past or present)                | <input type="checkbox"/> Related as parent, grandparent, child, grandchild, brother, sister (or in-law/step) |
| <input type="checkbox"/> Live/lived together as intimate partners | <input type="checkbox"/> Live/lived together but not as intimate partners                                    |
| <input type="checkbox"/> Romantic/sexual (past or present)        | <input type="checkbox"/> Dating (but not romantic or sexual)   |
| <input type="checkbox"/> Parent of child in common                | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> One party is pregnant by the other       |  |

**2. ☐ Defendant and I have a pending action involving maternity, paternity, annulment, legal separation, dissolution, custody, parenting time, or support in \_\_\_\_\_ County Superior Court, Case # \_\_\_\_\_.**

**3. Name of court, if any, in which any other protective order related to this conduct has been filed.  
Court name \_\_\_\_\_ Case # \_\_\_\_\_**

**(Continue to next page)**

4. Tell the judge what happened and why you need this order. PRINT both the dates and a brief description of what happened. If there is a contested hearing, a judge can consider only what you write here.

**NOTE: Defendant will receive a copy of this petition when the order is served.**

Approx. Date	(Do not write on back or in the margin. Attach additional paper if necessary.)
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

5. The following persons should also be on this order. They should be protected because Defendant is a danger to them:

Birthdate: _____	Birthdate: _____
Birthdate: _____	Birthdate: _____

6. Defendant should be ordered to stay away from these locations at all times, even when I am not present.

**NOTE: Do not list confidential addresses here.**

☐ Residence (confidential)

☐ Work

☐ School/other

☐ Business name/address

(if workplace injunction)

- 7a. ☐ Defendant owns or carries a firearm or other weapons.

- 7b. ☐ Defendant should be ordered NOT to possess firearms or ammunition while this order is in effect because of the risk of harm to me or other protected persons.

8. ☐ Defendant should be ordered to stay away from any animal that is owned, possessed, leased, kept or held by me, Defendant, or a minor child living in either my household or Defendant's household.

9. Other requests: \_\_\_\_\_

Under penalty of perjury, I swear or affirm the above statements are true to the best of my knowledge. I request an order or an injunction granting relief as allowed by law.

Attest:

Plaintiff

Judicial Officer/Clerk/Notary

Date

Defendant: \_\_\_\_\_ Date: \_\_\_\_\_ Case No. \_\_\_\_\_

**Defendant's Guide Sheet for Protective Orders - Please Read Carefully**

This guide sheet provides more information about the petition and the order that have been served on you.

The PETITION contains the plaintiff's allegations against you and the relief that was requested from the court. The ORDER tells you what conditions the judge granted. If you were served only with a petition, a pre-issuance hearing will be scheduled.

**IF YOU HAVE BEEN SERVED WITH:** ☐ **ORDER OF PROTECTION.** An Order of Protection has been issued because you allegedly committed or may commit an act of domestic violence against the plaintiff. You and the plaintiff have one of the following relationships:

- married (past or present)
- live/lived together as intimate partners
- romantic or sexual relationship (past or present)
- parent of a child in common
- one party is pregnant by the other
- related as parent, grandparent, child, grandchild, brother, sister (including step or in-law)
- live/lived together but not as intimate partners

☐ **INJUNCTION AGAINST HARASSMENT.** You allegedly have committed a series of acts (more than one) of harassment against the plaintiff within the last year.

☐ **INJUNCTION AGAINST WORKPLACE HARASSMENT.** This injunction, alleging at least one act of harassment, has been filed against you by an employer or a business owner for the benefit of an employee or the business.

**SERVICE AND EFFECT** This protective order is valid for one year from the date it was served on you. It is enforceable by law enforcement in any state or tribal nation in the United States.

**CONTESTED HEARING** If you disagree with this protective order, you have the right to request a hearing. The hearing will be held within 5 to 10 business days after you file a written request at the court that issued this order. If a hearing is held and the order remains in effect or is modified, and you and the plaintiff are either married (past or present), live together as intimate partners (past or present), or parents of a child in common, you may be prohibited from possessing a firearm. This prohibition may apply even if you fail to appear for the hearing. If you have questions about whether your request for a hearing can result in a firearms prohibition, you should contact an attorney. The court cannot give you legal advice.

**CHILDREN** If your child is listed as a protected person, you may be referred to superior court. Only a superior court judge can decide child custody or parenting time in a separate family law action.

**FAMILY COURT** If either you or the plaintiff file an action for maternity, paternity, annulment, legal separation, or divorce, advise this court immediately so the protective order case can be transferred to the superior court.



**MODIFYING OR  
DISMISSING THIS ORDER**

Only a judge can modify or dismiss this protective order. **The plaintiff cannot dismiss or change this protective order without the court's written approval.**

**CONTACT WITH THE  
PLAINTIFF**

You can be arrested for violating this protective order, even if the plaintiff initiates contact with you. You have the right to request a protective order against the plaintiff if you do not want the plaintiff to contact you. But orders are not automatically granted upon request. Legal requirements must be met.

**RESIDENCE AND  
PROPERTY**

The judge may have given the plaintiff exclusive use of a residence shared with you and may have allowed you a law enforcement standby. If the judge has granted standby on the protective order, you may return to the residence once with a law enforcement officer to obtain necessary personal belongings. You must arrange a date and time with law enforcement for the standby. Neither law enforcement nor this protective order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues.

**FIREARMS**

If the judge has ordered under Arizona law that you cannot possess, receive, or purchase firearms or ammunition, you must surrender them within 24 hours after service of this protective order to the law enforcement agency named on this order. You should ask law enforcement to issue proof of the surrender. You may also have to provide documentation to the court that firearms were transferred to the specified law enforcement agency. If you have questions about a firearms prohibition and surrender, you should contact an attorney. The court cannot give you legal advice.

**DO NOT SERVE THIS FORM ON THE DEFENDANT. DESTROY WHEN SERVED.**

Notice: This form will be used by the agency that will serve your court documents. Be accurate and complete when filling out this form. Without this information, your documents may not get served.

**THIS FORM IS CONFIDENTIAL AND WILL NOT BE GIVEN TO THE DEFENDANT.**

Plaintiff _____ v. Defendant _____	Case No. _____  Date Issued _____	<b>SERVICE OF PROCESS INFORMATION FORM</b>
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Your name _____	Email _____
Address _____	Main phone _____ *Cell _____
City, State, ZIP _____	*Will you accept text messages on this cell or at another number? <input type="checkbox"/> Yes <input type="checkbox"/> No Alternate number _____

### DEFENDANT'S INFORMATION (person you want to be served)

Defendant's name _____	Birthdate _____ <input type="checkbox"/> Actual <input type="checkbox"/> Estimated
Address _____ <i>include apartment and building number</i>	Does Defendant need an interpreter? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, language needed _____
City, State, ZIP _____	Does Defendant live with you now? <input type="checkbox"/> Yes <input type="checkbox"/> No
Apartment complex name _____	

Sex	Race	Height	Weight	Eye color	Hair color	Driver license #	State	Expiration date

Defendant's ethnicity is: ☐ Hispanic ☐ Not Hispanic

Company/work name _____	Work phone _____
Work address _____	
City, state, ZIP _____	
Work hours _____	Normal days off _____
Best time at work _____	Best time at home _____
Other places Defendant goes _____	Days/times most likely to be there _____
Vehicle year/make/color _____	License plate/state _____
Distinguishing features, scars, tattoos, marks (and location): _____	
Is Defendant <input type="checkbox"/> violent toward police <input type="checkbox"/> drug user <input type="checkbox"/> heavy drinker <input type="checkbox"/> mentally ill <input type="checkbox"/> on probation/parole ➤ Probation officer name/phone: _____	
Does Defendant <u>carry</u> <input type="checkbox"/> a gun <input type="checkbox"/> a knife? Does Defendant <u>have</u> <input type="checkbox"/> a gun <input type="checkbox"/> a knife?	Location of weapons now _____